

CARRIAGE BY HIGHWAY



SUBPART A*

Part 177 applies to:

- ☐ **Private motor carriers**
- ☐ **Common motor carriers**
and
- ☐ **Contract motor carriers**

***If no shipping papers required, Subpart A does not apply**

Requirements for hazardous materials accepted and/or transported by:

- Private**
- Contract "For-Hire" motor carriers**

**Shipping papers, marking, labeling
and packaging.**

PART 397—TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND PARKING RULES

Subpart A—General

- Sec. Application of the rules in this part.
- 397.1 Compliance with Federal motor carrier safety regulations.
- 397.2 State and local laws, ordinances, and regulations.
- 397.3 Attendance and surveillance of motor vehicles.
- 397.5 Parking.
- 397.7 [Reserved]
- 397.9 Fires.
- 397.11 Smoking.
- 397.13 Fueling.
- 397.15 Tires.
- 397.17 Instructions and documents.

**Must Comply With Federal Motor Carrier
Safety Regulations**

Subpart I—Protection Against Shifting or Falling Cargo

General rules for protection against
shifting or falling cargo.
Sec. 397.111 Lashing and bracing
systems.

Subpart B—Qualification and Training of Drivers

General qualifications of drivers

No person shall not drive a commercial motor vehicle unless he/she is qualified to drive a commercial motor vehicle as provided in § 391.63, a person shall not drive a commercial motor vehicle unless that person is

Purpose and scope
applicability

Subpart A—

1968, unless

No Person May Offer or Accept a Hazardous Material for Transportation in Commerce Unless:

- ☐ **The hazardous material is properly classed, described, packaged, marked and**
- ☐ **In proper condition for shipment.**

**Both Carriers and Shippers
are Responsible to Ensure
Their Employees are Properly
Trained as Required by the HMR**

**Motor Carriers Must Comply
With the HMR and Train
Employees in the Prescribed
Regulations.**

Additional Training Requirements for Drivers of:

- ☐ **Cargo tanks, or**
- ☐ **Vehicles with portable tanks**
- ☐ **State Commercial Driver's License (CDL)
required by FMCSR**

§172.101 HAZARDOUS MATERIALS TABLE

Hazardous materials descriptions and proper shipping names	Hazard class or Division	Identification Numbers	PG	Label Codes
(2)	(3)	(4)	(5)	(6)
Magnesium aluminum phosphide	4.3	UN1419	I	4.3, 6.1
Magnesium arsenate	6.1	UN1622	II	6.1
Magnesium bisulfite solution, see Bisulfites, aqueous solutions, n.o.s.				
Magnesium bromate	5.1	UN1473	II	5.1

Covers both interstate and intrastate transport

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- 397.15 Fueling.
- 397.17 Tires.
- 397.19 Instructions and documents.

Subpart B [Reserved]

Subpart C—Routing of Non-Radioactive Hazardous Materials

- 397.61 Purpose and scope.
- 397.62 Applicability.

Generally applies to interstate transportation

Determine which FMCSR regulations apply:

- Verify state regulations**
- Differences in regulations**

§ 382.501

prior to the starting dates in § 382.115 of this part.

Subpart E—Consequences for Drivers Engaging in Substance Use-Related Conduct

§ 382.501 Removal from safety-sensitive function.

(a) Except as provided in subpart F of this part, no driver shall perform safety-sensitive functions, including driving a commercial motor vehicle, if the driver has engaged in conduct prohibited by subpart B of this part or an alcohol or controlled substances rule of another DOT agency.

(b) No employer shall permit any driver to perform safety-sensitive functions, including driving a commercial motor vehicle, if the driver has been determined that the driver has engaged in conduct prohibited by this section.

(c) For purposes of this section, a commercial motor vehicle is defined in § 382.107 of this part as defined in Part 392 of the Federal Motor Vehicle Safety Code.

§ 382.503 Requirements.

No driver who has engaged in conduct prohibited by this part shall perform safety-sensitive functions, including driving a commercial motor vehicle, until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test.

(2) The Licencia Federal de Conducir (Mexico) requirements; or

(3) The commercial driver's license requirements of the Canadian National Safety Code.

(b) An employer who employs himself/herself as a driver must comply with both the requirements in this part that apply to employers and the requirements in this part that apply to drivers. An employer who employs only himself/herself as a driver shall implement a random alcohol and controlled substances testing program of two or more covered employees in the random testing selection pool.

(c) The exceptions contained in § 390.3(f) of this subchapter do not apply to this part. The employers and drivers identified in § 390.3(f) must comply with the requirements of this part, unless otherwise specifically provided in paragraph (d) of this section.

(d) For purposes of this part, the term "covered employee" means a driver who is required to comply with the requirements of this part.

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tions, until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test.

(b) Except as provided in paragraph (a) of this section, no employer shall take any action under this part against a driver based solely on test results showing an alcohol concentration less than 0.04. This does not prohibit an employer with authority independent of this part from taking any action otherwise consistent with law.

§ 382.507 Penalties.

Any employer or driver who violates the requirements of this part shall be subject to the penalty provisions of 49

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(1) Firefighters or other persons who operate commercial motor vehicles which are necessary for the preservation of life or property or the execution of emergency governmental functions, are equipped with audible and visual signals, and are not subject to normal traffic regulation.

[61 FR 9553, Mar. 8, 1996, as amended at 62 FR 1296, Jan. 9, 1997]

§ 382.105 Testing procedures.

Each employer shall ensure that all alcohol or controlled substances testing conducted under this part complies with the procedures set forth in part 40 of this title. The provisions of part 40 of this title that address alcohol or controlled substances testing are made applicable to employers by this part.

§ 382.107 Definitions.

The definitions in part 40 of this title shall apply to the testing procedures used in this part.

DOT

§ 382.103

Records	Retention period
Results of performance by drivers, traffic, commodities, costs.	3 years
Records lost	Until revised as record structure changes. For the remainder of the period as prescribed for records destroyed.

Records shall be maintained as determined by the designated records supervisory official in accordance with the requirements of the Internal Revenue Service, Securities and Exchange Commission, and other regulatory agencies. Companies shall exercise reasonable care in choosing record retention periods that shall reflect past experiences, company needs, pending litigation, and regulatory requirements.

SUB-USE

382.113 Inquiries for alcohol and controlled substances information from previous employers.

E—Consequences for Drivers Engaging in Substance Use-Related Conduct

Removal from safety-sensitive function. Required evaluation and testing. Penalties for alcohol-related conduct. Penalties.

—Alcohol Misuse and Controlled Substances Use Information, Training, Referral

Employer obligation to promulgate policy on the misuse of alcohol and use of controlled substances. Training for supervisors. Referral, evaluation, and treatment.

49 U.S.C. 31133, 31136, 31301 et seq.

Open to DOT, for:

- **Safety examination**
and
- **Inspection**



All Carrier:

- **Records**
- **Equipment**
- **Packagings**
- **Containers**

URBAN/PUBLIC TUNNELS

**Motor Carriers Transporting
Hazardous Materials Must
Comply With:**

- State statutes**
- Municipal ordinances**

Part 397 of the 49 CFR FMCSR

- Driving and Parking**
- Attendance and Surveillance**
- Routing Regulations**

ROUTING REQUIREMENTS

Part 397

- Non-Radioactive: Subpart C**
- Radioactive: Subpart D**

Unless Excepted:

- ☐ **A shipping paper must accompany EACH shipment of Hazardous Materials and**
- ☐ **Be prepared in accordance with:**
 - 172.200**
 - 172.201**
 - 172.202**
 - 172.203**
- ☐ **Shipping papers must be retained for one year by the offerer and the carrier.**

INITIAL MOTOR CARRIER

SHIPPING PAPER					
1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36
37	38	39	40	41	42
43	44	45	46	47	48
49	50	51	52	53	54
55	56	57	58	59	60
61	62	63	64	65	66
67	68	69	70	71	72
73	74	75	76	77	78
79	80	81	82	83	84
85	86	87	88	89	90
91	92	93	94	95	96
97	98	99	100	101	102
103	104	105	106	107	108
109	110	111	112	113	114
115	116	117	118	119	120
121	122	123	124	125	126
127	128	129	130	131	132
133	134	135	136	137	138
139	140	141	142	143	144
145	146	147	148	149	150
151	152	153	154	155	156
157	158	159	160	161	162
163	164	165	166	167	168
169	170	171	172	173	174
175	176	177	178	179	180
181	182	183	184	185	186
187	188	189	190	191	192
193	194	195	196	197	198
199	200	201	202	203	204
205	206	207	208	209	210
211	212	213	214	215	216
217	218	219	220	221	222
223	224	225	226	227	228
229	230	231	232	233	234
235	236	237	238	239	240
241	242	243	244	245	246
247	248	249	250	251	252
253	254	255	256	257	258
259	260	261	262	263	264
265	266	267	268	269	270
271	272	273	274	275	276
277	278	279	280	281	282
283	284	285	286	287	288
289	290	291	292	293	294
295	296	297	298	299	300
301	302	303	304	305	306
307	308	309	310	311	312
313	314	315	316	317	318
319	320	321	322	323	324
325	326	327	328	329	330
331	332	333	334	335	336
337	338	339	340	341	342
343	344	345	346	347	348
349	350	351	352	353	354
355	356	357	358	359	360
361	362	363	364	365	366
367	368	369	370	371	372
373	374	375	376	377	378
379	380	381	382	383	384
385	386	387	388	389	390
391	392	393	394	395	396
397	398	399	400	401	402
403	404	405	406	407	408
409	410	411	412	413	414
415	416	417	418	419	420
421	422	423	424	425	426
427	428	429	430	431	432
433	434	435	436	437	438
439	440	441	442	443	444
445	446	447	448	449	450
451	452	453	454	455	456
457	458	459	460	461	462
463	464	465	466	467	468
469	470	471	472	473	474
475	476	477	478	479	480
481	482	483	484	485	486
487	488	489	490	491	492
493	494	495	496	497	498
499	500	501	502	503	504
505	506	507	508	509	510
511	512	513	514	515	516
517	518	519	520	521	522
523	524	525	526	527	528
529	530	531	532	533	534
535	536	537	538	539	540
541	542	543	544	545	546
547	548	549	550	551	552
553	554	555	556	557	558
559	560	561	562	563	564
565	566	567	568	569	570
571	572	573	574	575	576
577	578	579	580	581	582
583	584	585	586	587	588
589	590	591	592	593	594
595	596	597	598	599	600
601	602	603	604	605	606
607	608	609	610	611	612
613	614	615	616	617	618
619	620	621	622	623	624
625	626	627	628	629	630
631	632	633	634	635	636
637	638	639	640	641	642
643	644	645	646	647	648
649	650	651	652	653	654
655	656	657	658	659	660
661	662	663	664	665	666
667	668	669	670	671	672
673	674	675	676	677	678
679	680	681	682	683	684
685	686	687	688	689	690
691	692	693	694	695	696
697	698	699	700	701	702
703	704	705	706	707	708
709	710	711	712	713	714
715	716	717	718	719	720
721	722	723	724	725	726
727	728	729	730	731	732
733	734	735	736	737	738
739	740	741	742	743	744
745	746	747	748	749	750
751	752	753	754	755	756
757	758	759	760	761	762
763	764	765	766	767	768
769	770	771	772	773	774
775	776	777	778	779	780
781	782	783	784	785	786
787	788	789	790	791	792
793	794	795	796	797	798
799	800	801	802	803	804
805	806	807	808	809	810
811	812	813	814	815	816
817	818	819	820	821	822
823	824	825	826	827	828
829	830	831	832	833	834
835	836	837	838	839	840
841	842	843	844	845	846
847	848	849	850	851	852
853	854	855	856	857	858
859	860	861	862	863	864
865	866	867	868	869	870
871	872	873	874	875	876
877	878	879	880	881	882
883	884	885	886	887	888
889	890	891	892	893	894
895	896	897	898	899	900
901	902	903	904	905	906
907	908	909	910	911	912
913	914	915	916	917	918
919	920	921	922	923	924
925	926	927	928	929	930
931	932	933	934	935	936
937	938	939	940	941	942
943	944	945	946	947	948
949	950	951	952	953	954
955	956	957	958	959	960
961	962	963	964	965	966
967	968	969	970	971	972
973	974	975	976	977	978
979	980	981	982	983	984
985	986	987	988	989	990
991	992	993	994	995	996
997	998	999	1000	1001	1002
1003	1004	1005	1006	1007	1008
1009	1010	1011	1012	1013	1014
1015	1016	1017	1018	1019	1020
1021	1022	1023	1024	1025	1026
1027	1028	1029	1030	1031	1032
1033	1034	1035	1036	1037	1038
1039	1040	1041	1042	1043	1044
1045	1046	1047	1048	1049	1050
1051	1052	1053	1054	1055	1056
1057	1058	1059	1060	1061	1062
1063	1064	1065	1066	1067	1068
1069	1070	1071	1072	1073	1074
1075	1076	1077	1078	1079	1080
1081	1082	1083	1084	1085	1086
1087	1088	1089	1090	1091	1092
1093	1094	1095	1096	1097	1098
1099	1100	1101	1102	1103	1104
1105	1106	1107	1108	1109	1110
1111	1112	1113	1114	1115	1116
1117	1118	1119	1120	1121	1122
1123	1124	1125	1126	1127	1128
1129	1130	1131	1132	1133	1134
1135	1136	1137	1138	1139	1140
1141	1142	1143	1144	1145	1146
1147	1148	1149	1150	1151	1152
1153	1154	1155	1156	1157	1158
1159	1160	1161	1162	1163	1164
1165	1166	1167	1168	1169	1170
1171	1172	1173	1174	1175	1176
1177	1178	1179	1180	1181	1182
1183	1184	1185	1186	1187	1188
1189	1190	1191	1192	1193	1194
1195	1196	1197	1198	1199	

Shipping Paper (When Offered to Rail Carrier)

- **Description of:**
 - freight container
 - or
 - transport vehicle
- **Kind of placard affixed**

The shipping order form is from Superior Products Co. to ABC Chemical Co. Inc. The form includes fields for company names, addresses, phone numbers, and a list of items. A yellow arrow points to the 'ITEM' column header. The items listed are:

- 1. Paraffin-Isopar, Cumene, 4.0:0.8, 2
- 2. 99.99%, 99.99% Isopar, 99.99% Isopar, 99.99% Isopar
- 3. Paraffin-Isopar

Shipping Papers must be:

- Readily available and
- Recognizable
 - distinctly labeled or
 - appears first



DRIVER AT VEHICLE CONTROLS

Shipping Papers Must Be:

- ☐ **Within driver's immediate reach
and**
- ☐ **Readily visible
or**
- ☐ **In a holder mounted to inside
of driver's door**

DRIVER NOT AT VEHICLE CONTROLS

Shipping Papers Must Be:

- ☐ **In a holder mounted to inside of driver's door**
or
- ☐ **On the driver's seat**

CARRIAGE BY PUBLIC HIGHWAY

Carrier Must Not Move Transport Vehicles:

- Unless marked and placarded**
- Except in Emergency, and:**
 - escorted by government representatives**
or
 - granted permission by DOT**
or
 - to protect life and property**

Disabled Motor Vehicle in Transit

- Motor Vehicle - guard/move to safe place**
- Broken/leaking containers - handle safely**
- Packages - repair/place in a salvage drum**

Leaking Cargo Tanks

- Remove from highway**
- Contain leak**
- Eliminate sources of ignition**

Movement of Leaking Cargo Tanks

- To the nearest place for safe removal of contents**

Hazardous Materials Must Be:

- ☐ **Loaded**
- ☐ **Blocked, Braced and**
- ☐ **Unloaded**

**In accordance with the prescribed
safeguards**



SPECIAL LOADING AND UNLOADING REQUIREMENTS

Class 1 (Explosives)

- Motor vehicle engine must not be running**
- No sharp projections inside the vehicle**
- Tailgates must be closed**
- Cargo must remain in body of vehicle**

SPECIAL LOADING AND UNLOADING REQUIREMENTS

Storage Batteries With Electrolyte

- Protect against falling cargo**
- Protect/insulate battery terminals**

SPECIAL LOADING AND UNLOADING REQUIREMENTS



6A-29-10/99

SPECIAL LOADING AND UNLOADING REQUIREMENTS

Cylinders Containing Class 2 (Compressed Gas):

- ☐ **Lash in an upright position, or**
- ☐ **Load into securely attached racks, or**
- ☐ **Pack in boxes or crates/no overturning, or**
- ☐ **Load horizontally**

SEGREGATION TABLE

SEGREGATION TABLE FOR HAZARDOUS MATERIALS

Class or division	Notes	1.1 1.2	1.3	1.4	1.5	1.6	2.1	2.2	2.3 gas zone A	2.3 gas zone B	3	4.1
Explosives 1.1 and 1.2	A	*	*	*	*	*	X	X	X	X	X	X
Explosives 1.3		*	*	*	*	*	X		X	X	X	
Explosives 1.4		*	*	*	*	*	O		O	O	O	
Very insensitive explosives. 1.5	A	*	*	*	*	*	X	X	X	X	X	X
Extremely insensitive explosives. 1.6		*	*	*	*	*						
Flammable gases . 2.1		X	X	O	X				X	O		
Non-toxic, non-flammable gases. 2.2		X			X							

No Restrictions Apply:

○ Blank space in table

○ Hazard class or division not in table

SEGREGATION TABLE FOR HAZARDOUS MATERIALS

Class or division	Notes	1.1 1.2	1.3	1.4	1.5	1.6	2.1	2.2	2.3 gas zone A	2.3 gas zone B	3	4.1
Explosives 1.1 and 1.2	A	*	*	*	*	*	X	X	X	X	X	X
Explosives 1.3		*	*	*	*	*	X		X	X	X	
Explosives 1.4		*	*	*	*	*	O		O	O	O	
Very insensitive explosives. 1.5	A	*	*	*	*	*	X	X	X	X	X	X
Extremely insensitive explosives. 1.6		*	*	*	*	*						
Flammable gases . 2.1		X	X	O	X				X	O		
Non-toxic, non-flammable gases. 2.2		X			X							

X = No

O = OK, Provided...

A = Fertilizer Allowance

*** = Use Compatibility Table in 177.848(f)**

SEGREGATION TABLE FOR HAZARDOUS MATERIALS

Class or Division	Notes	1.1, 1.2	1.3	1.4	1.5	1.6	2.1	2.2	2.3 gas Zone A	2.3 gas Zone B	3	4.1
Explosives	1.1 and 1.2	A	*	*	*	*	X	X	X	X	X	X
Explosives	1.3		*	*	*	*	X		X	X	X	
Explosives	1.4		*	*	*	*	O		O	O	O	
Very insensitive explosives	1.5	A	*	*	*	*	X	X	X	X	X	X
Extremely insensitive explosives.	1.6		*	*	*	*						
Flammable gases	2.1		X	X	O	X			X	O		
Non-toxic, non-flammable gases.	2.2		X			X						
Poisonous gas Zone A	2.3		X	X	O	X	X				X	X
Poisonous gas Zone B	2.3		X	X	O	X	O				O	O
Flammable liquids	3		X	X	O	X			X	O		
Flammable solids	4.1		X			X			X	O		
Spontaneously combustible materials.	4.2		X	X	O	X			X	O		
Dangerous when wet materials.	4.3		X	X		X			X	O		
Oxidizers	5.1	A	X	X		X			X	O	O	
Organic peroxides	5.2		X	X		X			X	O		
Poisonous liquids PG I Zone A.	6.1		X	X	O	X	O				X	X
Radioactive materials	7		X			X	O					
Corrosive liquids	8		X	X	O	X			X	O		O

SEGREGATION TABLE FOR HAZARDOUS MATERIALS

Class or division		Notes	1.1 1.2	1.3	1.4	1.5	1.6	2.1	2.2	2.3 gas zone A	2.3 gas zone B	3	4.1
Flammable gases .	2.1		X	X	O	X				X	O		
Non-toxic, non- flammable gases.	2.2		X			X							
Poisonous gas Zone A	2.3		X	X	O	X		X				X	X
Poisonous gas Zone B	2.3		X	X	O	X		O				O	O
Flammable liquids .	3		X	X	O	X				X	O		
Flammable solids	4.1		X			X				X	O		
Spontaneously combustible ma- terials.	4.2		X	X	O	X				X	O		
Dangerous when wet materials.	4.3		X	X		X				X	O		
Oxidizers	5.1	A	X	X		X				X	O	O	
Organic peroxides .	5.2		X	X		X				X	O		

SEGREGATION TABLE FOR HAZARDOUS MATERIALS

Class or division	Notes	1.1 1.2	1.3	1.4	1.5	1.6	2.1	2.2	2.3 gas zone A	2.3 gas zone B	3	4.1
Explosives	1.1 and 1.2	A	*	*	*	*	X	X	X	X	X	X
Explosives	1.3		*	*	*	*	X		X	X	X	
Explosives	1.4		*	*	*	*	O		O	O	O	
Very insensitive explosives.	1.5	A	*	*	*	*	X	X	X	X	X	X
Extremely insensitive explosives.	1.6		*	*	*	*						

		COMPATIBILITY TABLE FOR CLASS 1 (EXPLOSIVE) MATERIALS												
Compatibility group		A	B	C	D	E	F	G	H	J	K	L	N	S
A			X	X	X	X	X	X	X	X	X	X	X	X
B		X		X	4	X	X	X	X	X	X	X	X	4/5
C		X	X		2	2	X	X	X	X	X	X	3	4/5
D		X	4	2		2	X	X	X	X	X	X	3	4/5
E		X	X	2	2		X	X	X	X	X	X	3	4/5
F		X	X	X	X	X		X	X	X	X	X	X	4/5
G		X	X	X	X	X	X		X	X	X	X	X	4/5
H		X	X	X	X	X	X	X		X	X	X	X	4/5
J		X	X	X	X	X	X	X	X		X	X	X	4/5
K		X	X	X	X	X	X	X	X	X		X	X	4/5
L		X	X	X	X	X	X	X	X	X	X		X	4/5
N		X	X	3	3	3	X	X	X	X	X	X		4/5
S		X	4/5	4/5	4/5	4/5	4/5	4/5	4/5	4/5	4/5	X	4/5	

**Use Both Tables
to Properly Load,
Transport or
Store Together**

SPECIAL LOADING AND UNLOADING REQUIREMENTS

Packages Labeled "POISON" or "POISON INHALATION HAZARD"

- Do not transport with food or animal feed unless**
- Overpacked in metal drums authorized in 173.25(c) or**
- Loaded in closed unit load device and food/animal feed is in another closed unit**



Not in Driver's Compartment (Including Sleeping Berth)



SPECIAL LOADING AND UNLOADING REQUIREMENTS

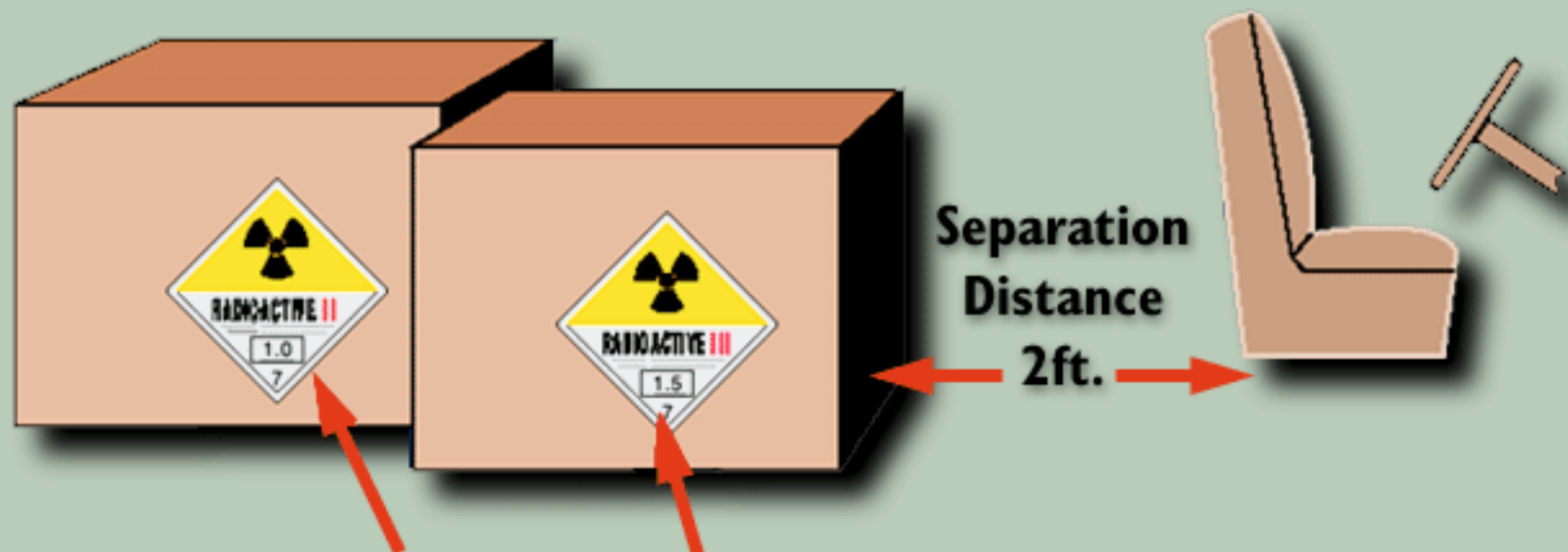


Transport Index (TI)

**Total Transport Index of All
Packages Must Not Exceed
50 TI**

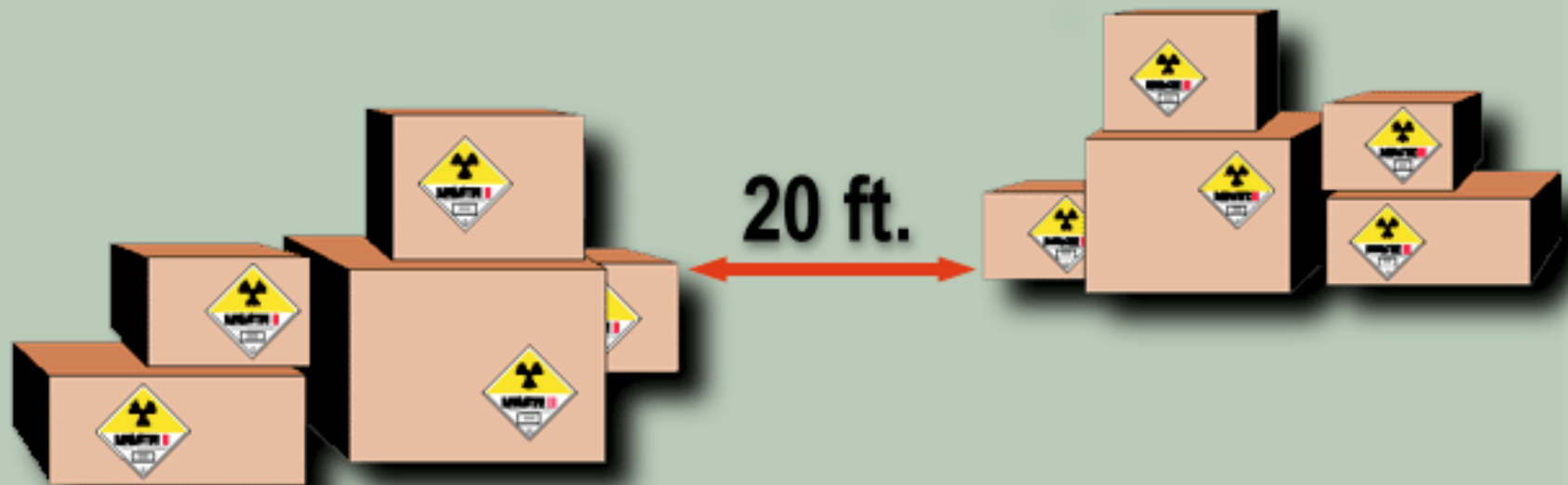
**Total Transport Index of All
Packages Must Not Exceed
50 TI
Does Not Include Exclusive
Use Shipments**

SPECIAL LOADING AND UNLOADING REQUIREMENTS



Transport Index (TI) 1.0 + 1.5 = Total TI 2.5

SPECIAL LOADING AND UNLOADING REQUIREMENTS



**Total Transport Index Must Not Exceed
50 TI for Each Group of Packages**

SPECIAL LOADING AND UNLOADING REQUIREMENTS

Radioactive Material - Exclusive Use

- Survey for Contamination**
 - after each use**
 - with radiation detection instruments**
- Do not return to service**
 - until radiation dose meets acceptable levels**

**Motor Vehicle
under exclusive use
VS.
Vehicle used solely
to transport RAM**

SPECIAL LOADING AND UNLOADING REQUIREMENTS

3" High
On Both
Sides of
Exterior
of the
Vehicle

For Radioactive Materials
Use Only



Hazardous Materials Permitted* "For Hire" Passenger Motor vehicle



***Certain Conditions & Limitations**

No Explosives or Hazardous Materials On "For Hire" Passenger Motor Vehicle Exceptions:

- Small arms ammunition**
- Emergency shipments:**
 - drugs and medicines**
 - chemicals and hospital supplies**
 - munitions of war**

A dark blue night sky filled with numerous white stars of varying sizes and brightness. A large, bright crescent moon is positioned in the upper right corner. The text "THE END" is centered in a bold, orange, sans-serif font with a black outline.

THE END